

Applicant: Terry Keith Bryant  
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### **REMARKS**

This Amendment supplements Applicant's previous Amendment and is in response to U.S. Patent No. 6,251,048 noted by the Examiner during the telephone conference of May 9, 2008.

Claims 3, 17 and 22 have been amended. Claim 37 has been cancelled. No new matter has been inserted. Claims 3-17, 19-28 and 30 and 32-36 remain pending in the application. Applicant respectfully requests reconsideration of the Examiner's rejections.

Independent claims 3, 17 and 22 have been amended to indicate that the medical apparatus claimed by Applicant does not include (excludes) treadmills, exercise mats and gym equipment normally used by an exerciser without live ancillary medical assistance being required. The '048 Patent concerns use of an electronic device with gym equipment and not the medical apparatuses claimed by Applicant. Furthermore, claim 1 has been amended to indicate that Applicant's claimed electronic assembly sends both initiating use message and encouragement messages. The '048 Patent does not initiate use of the equipment that it is associated with. Independent claims 17 and 22 are believed to already contain language requiring both initiating use messages and encouragement messages.

In view of the above, Applicant respectfully requests that the Examiner withdraw all objections and rejections. Favorable action passing Applicant's application to allowance is respectfully requested. If there are any additional charges, including extension of time, please bill our Deposit Account No. 503180.

Respectfully submitted,

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